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## The mystery of Israel: Jews, Hebrew Catholics, Messianic Judaism, the Catholic Church and the Mosaic Ceremonial Laws

### Introduction

Bruce Marshall has argued that there is a deep tension in the recent doctrinal teachings of the Catholic Church regarding the Jewish people. The Catholic Church holds two claims about God which are difficult to reconcile. It is these conflicting claims that generate confusing signals to Jews and Catholics on Jewish-Catholic matters. The two claims are: [1] that the saving mission of Christ and his Church is willed by God to be universal, extending to every human being. [2] that God's covenant with Israel, with the Jewish people according to the flesh, is irrevocable. Both claims seem to be essential to Catholic faith because they are unpacking the nature of revelation. 'But the consistency of the one with the other is less than obvious.'<sup>1</sup> If the first is true, the second cannot hold as it would imply that God wills for Jews to remain Jews. But the first holds that God wills for all to be in the Church. If the second is true, the first cannot hold as it shows an exception to an alleged universal: that God wills for all to be in the Church.

However, some theologians have argued that the claim about God's irrevocable gift to the Jewish people according to the flesh is so under-defined by the magisterium, that without substantial further explication, the tension that Marshall sees may well be apparent, rather than real. The claim that the 'covenant with Israel is irrevocable' certainly has magisterial status, but it could be interpreted in different ways. It could mean:

(a) that the first century Jews who accepted Jesus Christ continue in the irrevocable covenant that is being designated by Paul. Thus Paul in Romans 11.29 is speaking about God's fidelity, not about unfaithful Jews, who have rejected Him in rejecting Jesus Christ. The Jews who have rejected Jesus have rejected the covenant. The ones who accept it are the shoot of the Church which is made up of gentiles and Jews. This is Origen's interpretation and one that is often named 'supersessionist', whereby Israel's covenant is transferred to the new Israel, the community who follow the messiah, Jesus Christ. From now on I will call this the 'supersessionist' position.

(b) that the first century Jews who rejected Jesus Christ are not rejected by God, who is faithful to his covenantal promises to his chosen people, the Jews. However, that covenant is not salvific *per se*, but its grace and blessings come to fulfilment in Jesus Christ, the source of all grace. This view can assume, but need not, that Romans 11.25-26 suggests the Jewish people will eventually, after 'the full number of the Gentiles has come in', recognise Jesus Christ as their saving messiah. This may happen through exclusive divine action or a combination of both human and divine action – either in human history or in an eschatological age. This is a move away from supersessionism, but still contains elements of that view in so much as it holds that the Jewish covenant is finally 'lacking', for it does not

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<sup>1</sup> Bruce D Marshall, 'Christ and Israel: An Unsolved Problem in Catholic Theology', in *The Call of Abraham: Essays on the Election of Israel in Honor of Jon D. Levenson*, ed. by Gary A. Anderson and Joel S. Kaminsky (Notre Dame, Ind.: University of Notre Dame Press, 2013), pp. 330–50, 332. See further: Bruce D. Marshall, 'Religion and Election: Aquinas on Natural Law, Judaism, and Salvation in Christ', *Nova et Vetera*, 14.1 (2016), 61–125.

recognise the long hoped for messiah, Jesus Christ. From now on I will call this the fulfilment position.

(c) that the first century Jews, as well as contemporary Jews, are in an irrevocable covenant which is sufficient in itself, for God instituted this covenant, is faithful to it, and He is followed faithfully through this covenant. The Jewish covenant *per se* is sufficient for salvation.<sup>2</sup> Therefore, there are two covenants that are salvific and inaugurated by God. From now I will call this the two covenant position.

There are extensive and complex variations within each interpretative category. For instance, in the supersessionist position one can argue that all Jews cannot be accused of rejecting Jesus Christ and are not guilty of deicide and are thus not rejected by God. In the fulfilment position, one might argue there should be no institutional mission related to the Jewish people, a characteristic shared by the two covenant view. As it stands, only the two covenant position is strictly incompatible with the doctrine that God desires all to be saved through Christ and His Church. Supersessionism and fulfilment are not incompatible with that doctrine.

However, supersessionism is contrary to the teachings of the Catholic Church inchoately since 1965, and more explicitly by the magisterium since 1980. St Pope John Paul II spoke to the Jewish community in Mainz, Germany (1980), with two significant claims (affirming the irrevocable covenant with carnal Israel – and that it applies to contemporary Judaism):

The first dimension of this dialogue, that is, the meeting between the people of God of the Old Covenant, never revoked by God [cf. Rom. 11:29], and that of the New Covenant, is at the same time a dialogue within our Church, that is to say, between the first and the second part of her Bible. ... A second dimension of our dialogue — the true and central one — is the meeting between present-day Christian Churches and the present-day people of the Covenant concluded with Moses.<sup>3</sup>

This teaching then migrated to the *Catechism of the Catholic Church*<sup>4</sup>:

121 The Old Testament is an indispensable part of Sacred Scripture. Its books are divinely inspired and retain a permanent value, for the Old Covenant has never been revoked.

839 "Those who have not yet received the Gospel are related to the People of God in various ways."

*The relationship of the Church with the Jewish People.* When she delves into her own mystery, the Church, the People of God in the New Covenant, discovers her link with the Jewish People, (NA 4) "the first to hear the Word of God." (*Roman Missal*, Good Friday 13:General Intercessions, VI). The Jewish faith, unlike other non-Christian religions, is already a response to God's revelation in the Old Covenant. To the Jews "belong the sonship, the glory, the covenants, the giving of the law, the worship, and the promises; to them belong the patriarchs, and of their race, according to the flesh, is the Christ" (Rom 9:4-5), "for the gifts and the call of God are irrevocable." (Rom 11:29).

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<sup>2</sup> Such a position is taken by Catholic Rosemary Radford Ruether, *Faith and Fratricide: Theological Roots of Anti-Semitism* (New York: Seabury Press, 1974) and by Protestant theologians like Paul van Buren.

<sup>3</sup> See: <http://ccjr.us/dialogika-resources/documents-and-statements/roman-catholic/pope-john-paul-ii/297-jp2-80nov17>

<sup>4</sup> There were also contrary or unresolved currents within the *Catechism*. See for example 580, 710, 762. See Jewish and Catholic responses: Anti-Defamation League, *Catechism of the Catholic Church: Catholic and Jewish Readings* (New York: Anti-Defamation League, 1994).

Popes Benedict and Francis have repeated this teaching regarding Romans 11.29. Pope Benedict in a speech in the Great Synagogue of Rome (2010) said:

The Jewish faith, unlike other non-Christian religions, is already a response to God's revelation in the Old Covenant. To the Jews "belong the sonship, the glory, the covenants, the giving of the law, the worship, and the promises; to them belong the patriarchs and of their race, according to the flesh is the Christ" (Rom 9: 4-5), "for the gifts and the call of God are irrevocable!" (Rom 11: 29)" <sup>5</sup>

Most recently, in *Evangelii Gaudium* (2013), 247 Pope Francis taught:

We hold the Jewish people in special regard because their covenant with God has never been revoked, for "the gifts and the call of God are irrevocable" (*Rom* 11:29). The Church, which shares with Jews an important part of the sacred Scriptures, looks upon the people of the covenant and their faith as one of the sacred roots of her own Christian identity (cf. *Rom* 11:16-18). As Christians, we cannot consider Judaism as a foreign religion; nor do we include the Jews among those called to turn from idols and to serve the true God (cf. *1 Thes* 1:9). With them, we believe in the one God who acts in history, and with them we accept his revealed word. <sup>6</sup>

However, there is a serious objection to the fulfilment reading, that would suggest supersessionism is the only possible interpretation. The objection is this: the affirmations about Judaism in fulfilment views are incompatible with the settled doctrinal teachings of the Church magisterially defined in *Cantate Domino* (1442) and reiterated in *Mystici Corporis* (1943) that teach that the Jewish ceremonial law is dead and deadly. <sup>7</sup> Fulfilment, affirming the valid covenant with the Jewish people now, is not permissible. <sup>8</sup>

I will first attend to the serious objections of contrary earlier magisterial teachings to current magisterial teachings and show that the earlier teachings exclude two covenant views, not fulfilment views. I will then turn to Marshall's conundrum to show how fulfilment best keeps intact the

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<sup>5</sup> See: [https://w2.vatican.va/content/benedict-xvi/en/speeches/2010/january/documents/hf\\_ben-xvi\\_spe\\_20100117\\_sinagoga.html](https://w2.vatican.va/content/benedict-xvi/en/speeches/2010/january/documents/hf_ben-xvi_spe_20100117_sinagoga.html)

<sup>6</sup> See: [http://w2.vatican.va/content/francesco/en/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium.html](http://w2.vatican.va/content/francesco/en/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium.html)

<sup>7</sup> Douglas Farrow, *Theological Negotiations: Proposals in Soteriology and Anthropology* (Grand Rapids, Mich.: Baker Academic, 2018), forthcoming puts the case very cogently, although he does not argue it himself; and William B. Goldin, *St. Thomas Aquinas and Supersessionism: A Contextual Study and Doctrinal Application* (Pontificia Studiorum Universitas A. S. Thoma Aq. in Urbe Angelicum, Rome: PhD Thesis, 2017). Both do not advance supersessionism, but constructively show problems with fulfilment and two covenant views. Goldin's excellent thesis deserves a publisher.

<sup>8</sup> The Canons of the Fourth Lateran Council, (1215), 66-70 are typical of prohibitions upon Jews, but none are strictly doctrinal and 70 seems aimed at stopping Jewish converts falling back to Judaism. The Catholic Church could consider formally rescinding these canons as a gesture (for they are inoperative now).

coherence of Catholic doctrinal teachings and its development<sup>9</sup> – and opens a door towards a constructive theology of Israel, understood as contemporary Judaism. If I achieve these two goals, there is much further work to be done, but this is a kind of ground clearing exercise to facilitate a doctrinally coherent and robust approach to Israel ‘of the flesh’ in Catholic theology. By Israel of the flesh I mean those who are born Jewish or have been accepted as Jewish converts by the requisite Jewish authority.

My argument in this essay is that fulfilment is the most likely candidate for what the magisterium intends and that holding the fulfilment view also interestingly diffuses Marshall’s conundrum. The fulfilment view, as I develop it, also overcomes the objections that these new teachings go against the settled doctrinal teachings found in *Cantate Domino* and reiterated in *Mystici Corporis*. The further benefit of the fulfilment position is that it also sheds helpful light on two related issues when one speaks of Israel ‘of the flesh’ that have arisen in the recent debate: those Jews who have become Catholics and wish to retain a Jewish identity compatible with their Catholic faith (see for example, the Association of Hebrew Catholics<sup>10</sup>); and those Jews who have become messianic Jews, following Jesus, but distancing themselves from a gentile religion, Christianity, to maintain and retain their Jewish identity.

For purposes of clarity, I shall use the following phrases while being aware of vast internal plurality and diversity within each group: ‘biblical Jews’ designating Jews up to the time of Jesus; ‘Rabbinic Judaism’ designates Jews after the time of Jesus where the oral and written Torah become normative; ‘Hebrew Catholics’ designates those in the Association of Hebrew Catholics and likeminded Jewish Catholics who wish to retain some elements of their Jewish heritage (and there are significant variations within this group). I am not arguing that Jews who have no connection with their religious and cultural heritage who become Catholics should in any way be required to follow and associate with ‘Hebrew Catholics’. This is akin to a calling or vocation; ‘Messianic Jews’, designates those Jews who wish to remain apart from the gentile church as they see it and follow Yeshua/Jesus as Israel’s messiah. Many believe that the gentile church fails to accommodate Jewish followers and other believe that successful mission to the Jewish people will be more successfully undertaken by Jewish followers of Yeshua. All four groups might feasibly claim to be Israel ‘of the flesh’. This certainly complexifies Marshall’s quandary.

Admittedly most of Rabbinic Judaism contests the claim that Messianic Jews or Hebrew Catholics can be considered Jewish. They are considered apostates and lose some of the privileges of being Jewish (the right to return to Israel, for example), but they remain Jewish, just as someone excommunicated remains Catholic by virtue of their baptism.<sup>11</sup> Hence, treating these four categories

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<sup>9</sup> The other strength of Goldin’s thesis, *ibid*, is his employment of Newman’s criteria regarding doctrinal development to show how the two covenant view is not a genuine development, but an error. He successfully shows that Cardinal Walter Kasper and Mary Boys propound this erroneous view (402-19).

<sup>10</sup> See Lawrence Feingold, *Mystery of Israel and the Church, Vol. 1, Figure and Fulfillment* (St. Louis, MO.: Miriam Press, 2010); Lawrence Feingold, *Mystery of Israel and the Church, Vol. 2, Things New and Old* (St. Louis, MO.: Miriam Press, 2017); Lawrence Feingold, *The Mystery of Israel and the Church. Vol. 3. The Messianic Kingdom of Israel* (St. Louis, MO.: Miriam Press, 2010). There are variants within this group. See for instance Nechama Tec, *In the Lion’s Den: The Life of Oswald Rufeisen* (New York: Oxford University Press, 1990).

<sup>11</sup> David Novak, *Talking with Christians: Musings of a Jewish Theologian* (Grand Rapids, Mich. ; Cambridge: William B. Eerdmans Publishing Co., 2005), 161; and on the law of return, 221.

equally, as I do in this paper, might jeopardise dialogue between Catholics and Rabbinic Jews.<sup>12</sup> This is not my intention. I seek to clarify, for Catholic theology, the issues regarding ‘which Israel’ is intended by Paul and the magisterium and to what end. There is a further linguistic point to be registered: the ‘Catholic Church’ calls itself the ‘new Israel’, although not of the flesh. This reflects Paul’s teaching that the gentiles are grafted onto the natural roots and shoot of Israel of the flesh – see Romans 11:19-24. This point takes on more significance below.

### **Part I: Do the magisterial teachings of the Church exclude the fulfilment view?**

The importance of *Cantate Domino* is twofold. Viz. authority: it represents a solemnly binding doctrinal teaching, in the formula that the church ‘firmly believes, professes, and teaches’. This takes place at a formally recognized Church Council (Florence) convened by Pope Eugene IV. Viz. belief: it represents a clear prohibition against the practice of the ceremonial Mosaic law, both within and outside the Catholic Church that is continuous with a long theological tradition that is developed through two key church doctors and fathers, Augustine and Aquinas.<sup>13</sup> The Catholic magisterium cannot reverse or overturn solemn doctrinal magisterium teachings without self-contradiction. Doctrines can develop, but they cannot flatly contradict previously held teachings. That is error, not development.

What precisely does *Cantate* teach?<sup>14</sup> I will cite the relevant paragraphs of *Cantate* which are said to represent a prohibition to the fulfilment and dual covenant views:

It firmly believes, professes, and teaches that the matter pertaining to the law of the Old Testament, of the Mosaic law, which are divided into ceremonies, sacred rites, sacrifices, and sacraments, because they were established to signify something in the future, although they were suited to the divine worship at that time, after our Lord’s coming had been

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<sup>12</sup> David Novak employs halakhic grounds for arguing for the apostate status of Jews who follow Jesus in *Talking*, 223. Catholic theologian, Matthew Levering, agreeing with Novak’s position, argues that accepting messianic Jews is disrespectful towards Rabbinic Jewish autonomy and undermines their authority to identify who is a Jew. Levering does not consider Hebrew Catholics. Levering has additional and persuasive Catholic theological reasons for questioning the legitimacy of messianic Jews. See Levering, *Jewish-Christian Dialogue and the Life of Wisdom: Engagements with the Theology of David Novak* (London: Continuum, 2011), 12-46.

<sup>13</sup> For the textual elaboration of this position see Goldin, *ibid*, 39-48; 133-93; 194-356. On Aquinas, also see Matthew Levering, *Christ’s Fulfillment of Torah and Temple: Salvation According to Thomas Aquinas* (Notre Dame, Ind.: University of Notre Dame Press, 2002) brilliant study; and Matthew A. Tapie, *Aquinas on Israel and the Church: The Question of Supersessionism in the Theology of Thomas Aquinas* (Eugene, Oregon: Pickwick Publications, 2014) who criticises Levering. Tapie and Levering have been in debate: see: Matthew Levering, ‘Aquinas and Supersessionism One More Time: A Reply to Matthew A. Tapie’s *Aquinas on Israel and the Church*’, *Pro Ecclesia*, 25.4 (2017), 395–413. The disagreement finally revolves around the fact that for Levering, Israel’s Torah is not negated, but fulfilled in the rites of the gentile Church. I think Levering’s analysis stands in *Christ’s Fulfillment*, when applied to gentile followers of Jesus. When applied to Jewish Catholics, it leaves the question of continuing Jewish practices unresolved, other than that they cannot be practices required for salvation. With him, I’d agree that there can be no replacing of the new dispensation of Christ, his seven sacraments, and his Church. The Jewish Catholic must find its place within this universal Church. Tapie’s position is textually problematic in arguing from silences and not dealing adequately with the dynamic of fulfilment. See Holly Taylor Coolman, ‘Book Review: Matthew A. Tapie, *Aquinas on Israel and the Church: The Question of Supersessionism in the Theology of Thomas Aquinas*’, *Studies in Christian-Jewish Relations*, 11.1 (2016), 1–3.

<sup>14</sup> English translation from Norman P. Tanner, *Decrees of the Ecumenical Councils, Volume I* (London: Sheed & Ward and Georgetown University Press, 1990).

signified by them, ceased, and the sacraments of the New Testament began; and that whoever, even after the passion, placed hope in these matters of the law and submitted himself to them as necessary for salvation, as if faith in Christ could not save without them, sinned mortally. Yet it does not deny that after the passion of Christ up to the promulgation of the Gospel they could have been observed until they were believed to be in no way necessary for salvation; but after the promulgation of the Gospel it asserts that they cannot be observed without the loss of eternal salvation. All, therefore, who after that time observe circumcision and the Sabbath and the other requirements of the law, it declares alien to the Christian faith and not in the least fit to participate in eternal salvation, unless someday they recover from these errors. Therefore, it commands all who glory in the name of Christian, at whatever time, before or after baptism, to cease entirely from circumcision, since, whether or not one places hope in it, it cannot be observed at all without the loss of eternal salvation.

...

It believes firmly, professes, and proclaims that “every creature of God is good, and nothing is to be rejected that is received with thanksgiving” [I Tim. 4:4], since, according to the word of the Lord [Matt. 15:11], “not that which goeth into the mouth defileth a man”, and it asserts that the indifference of clean and unclean foods of the Mosaic law pertains to the ceremonials which, with the rise of the Gospel passed out of existence and ceased to be efficacious. And it says also that the prohibition of the apostles “from things sacrificed to idols, and from blood and from things strangled [Acts 15:29] befitted that time in which one Church arose from the Jews and the Gentiles, who before lived according to different ceremonies and customs, so that even the Gentiles observed some things in common with the Jews, and occasion was furnished for coming together into one worship of God and one faith, and ground for dissension was removed; since to the Jews, by reason of an ancient custom, blood and things strangled seemed abominable, and they could think that the Gentiles would return to idolatry because of the eating of things sacrificed. But when the Christian religion is so propagated that no carnal Jew appears in it, but all passing over to the Church, join in the same rites and ceremonies of the Gospel, believing “all things clean to the clean” [Tit. 1:15], with the ending of the cause for this apostolic prohibition, the effect also ended. Thus it declares that the nature of no food, which society admits, is to be condemned, and no distinction is to be made by anyone at all, whether man or woman, between animals, and by whatever kind of death they meet their end; although for the health of body, for the exercise of virtue, for regular and ecclesiastical discipline many things not denied should be given up, since, according to the Apostle, “all things are lawful, but all things are not expedient” [I Cor. 6:12; 10:22].

It firmly believes, professes, and proclaims that those not living within the Catholic Church, not only pagans, but also Jews and heretics and schismatics cannot become participants in eternal life, but will depart “into everlasting fire which was prepared for the devil and his angels” [Matt. 25:41], unless before the end of life the same have been added to the flock; and that the unity of the ecclesiastical body is so strong that only to those remaining in it are the sacraments of the Church of benefit for salvation, and do fastings, almsgiving, and other functions of piety and exercises of Christian service produce eternal reward, and that no one, whatever almsgiving he has practiced, even if he has shed blood for the name of Christ, can be saved, unless he has remained in the bosom and unity of the Catholic Church.

In literature that cites this Council, three separate and related claims are made.

First, the Council teaches, along with Augustine and Aquinas and a long established theological tradition, that after the gospel has been preached, the ceremonial ritual law of the Mosaic covenant is invalid: both dead and deadly. Augustine's doctrine of the *tria tempora* had corrected the *duo tempora* of Jerome's. Jerome simply affirmed 'before' and 'after' the passion of Christ, the latter being the ontological turning point of the history of salvation. Augustine accepts this ontological turning point but correlates it to epistemological conditions as well, thus making it more nuanced. For Augustine and Aquinas, who follows Augustine in this, the first period is the time before Christ when the ceremonial laws were valid, preparatory of Christ, and when undertaken with a sincere heart, were grace giving. There was variance amongst the Fathers as to whether this grace should be classed as sacramental, quasi sacramental, or purely as signifying, but all viewed it positively and as proleptically efficacious before the time of Christ.<sup>15</sup> They held it to be efficacious because of its Christological *telos*. The second period of the *tria tempora* is the era after Christ's passion but before the Gospel had been preached to the world. This allows for the ontological and epistemological correlation. It also considers the biblical accounts, especially in Acts, which indicate followers of Jesus continuing with ceremonial law after the passion. Both Augustine and Aquinas acknowledge these practices. Aquinas argues that these practices were permitted to indicate to gentiles the special nature of God's acting in history through the Jewish people and to block the sanctification of gentile rites that might have taken place otherwise.<sup>16</sup> The third period, in which Augustine and Aquinas believed they lived, is after the Gospel has been preached to all and which marks the decline of the Jewish followers of Jesus and thus the end of the validity of the ceremonial Mosaic law. The objection to the Jewish ceremonial law/practice is that it originally pointed to something in the future which has now come. To practice it after Christ is to deny the coming of Christ, which is to deny the truth of the Gospel, which is to sin mortally. Hence, in the third period there can be no place for the ceremonial law theologically, even if during the second period it could be permitted. This prohibition did not relate to the Mosaic ethical law which is still valid for Augustine and Aquinas. As the civic Mosaic law had ceased with the cessation of a Jewish state, that element of the Mosaic law was irrelevant.

Second, the dispute about ritually impure foods indicates the same judgement: that ceremonial laws are now invalid, just as circumcision and Shabbat should not be practiced. Third, the exclusion of the Jew from salvation in the final paragraph cited, indicates the logic of this position, which while being worked out in relation to an internal ecclesial dispute (those who 'glory in the name of Christian'), is then related to external groups ('those not living in the Church'), the Jews, from whom these practices originated. Since they have rejected the gospel, they have rejected salvation.

If these three objections hold, then fulfilment and two covenant views are not permissible. It is very likely that supersessionism would represent the most plausible trajectory of the magisterium's recent teachings. I shall be arguing that the two covenant view is not permissible after Florence, but the fulfilment position is permissible. How are these objections against fulfilment to be overcome?

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<sup>15</sup> Aquinas does view in one instance, circumcision as operating *ex opere* as with the sacraments, but in later writings abandons this view. Consistently, the ceremonial laws play a proleptic and pre-figurative function in Aquinas. For Aquinas texts and discussion of this, see Goldin, *ibid*, 333-43. For the possible quasi-sacramental significance and *in figura* see Bruce D. Marshall, 'Quasi in Figura: A Brief Reflection on Jewish Election, after Thomas Aquinas', *Nova et Vetera*, 7.2 (2009), 477-84; Trent Pomplun, 'Quasi in Figura: A Cosmological Reading of the Thomistic Phrase', *Nova et Vetera*, 7.2 (2009), 505-22; and Emmanuel Perrier, OP, 'The Election of Israel Today: Supersessionism, Post-Supersessionism, and Fulfilment', *Nova et Vetera*, 7.2 (2009), 485-504. My position is similar to Pomplun and Perrier.

<sup>16</sup> See: <http://dhspriority.org/thomas/SSGalatians.htm>, commentary on Galatians 4:3 and 4:9.



Contextually, *Cantate* is dealing with the Egyptian Coptic Church, sometimes known as the Jacobite church, hence *Cantate* is also known as the 'Decree on the Jacobites'.<sup>17</sup> The Council was part of Pope Eugene's consolidation of papal power and a concern for the unity with Eastern Christian communities and the Latin west. The Council had already established decrees of unity with the Greeks and Armenians prior to this document. The Council admittedly failed in attaining unity with the Greeks, Armenians and with the Copts.<sup>18</sup> The central focus, regardless of the outcome, was intra-Christian unity not interreligious relations. The Egyptian Copts were represented by Abbot Andrew, who himself represented the Patriarch of the Copts, John, who lived in Cairo. Andrew was interrogated by Cardinals Cesarini, Le Jeune and Torquemada regarding the beliefs of the Copts. The main problems related to 'certain practices' such as circumcising male children, the practice of Sabbath on Saturday, and the enforcement of certain food regulations. These practices were regarded as following the old ceremonial law which was now invalid, dead and deadening. Unity could thus be attained but only if these practices ceased. Andrew expressed agreement with this solution.<sup>19</sup>

There is some dispute whether circumcision derived from Muslim, not Jewish, influence from the seventh century Islamic conquest of Egypt.<sup>20</sup> Even if the context of *Cantate* is not Jewish converts to Christianity or Jews *per se*, *Cantate* arises from the earlier theological tradition regarding Jewish practices before and after the gospel promulgation. This latter tradition does pertain to our question. Hence, while it is illegitimate to claim that the dispute about Jewish practices clearly indicates a teaching 'about the Jews', Israel of the flesh, especially as *Cantate* contextualises its own teaching as referring to those who 'glory in the name of Christian', we do need to recognise that the presuppositions embedded in *Cantate*'s teachings about the Copts does illuminate our question and the final paragraph does refer to Rabbinic Judaism and the previous two paragraphs, possibly analogically, to Hebrew Catholics.

If we accept that Augustine and Aquinas' assumptions are being given magisterial status regarding the ceremonial law, there are still two hermeneutical questions that arise that should make us pause in applying this material to Israel of the flesh, especially Rabbinic Judaism, in this instance. The first regards the epistemological assumption that the third period, the preaching of the gospel, has objectively occurred for all people and for all times. There is no question against or doubt about the ontological import: Christ's passion, death and resurrection are the exclusive cause of salvation for all people, everywhere. Indeed, this ontological point undergirds the major line of criticism in *Cantate* – that if a person thinks that any other practices than the sacraments, or belief other than 'faith in Christ', are 'necessary for salvation', they are in grave error. This teaching has been consistent and is biblical and has been reiterated as recently as *Dominus Iesus* (2000) - see further below.<sup>21</sup> The question to be raised relates to the epistemological conditions under which the

<sup>17</sup> See Jill Kamil, *Christianity in the Land of the Pharaohs: The Coptic Orthodox Church* (Cairo: American University in Cairo Press, 2002) for a historical overview of the Coptic Church.

<sup>18</sup> See the definitive study by Joseph Gill SJ, *The Council of Florence* (Cambridge: University Press, 1959).

<sup>19</sup> Gill, *ibid*, 322-26. Some unity was finally attained in the eighteenth century, establishing a Catholic Coptic Church.

<sup>20</sup> See Dioscoros Boles, 'Circumcision and the Copts. A History', *Glasfront*, 122 (2012) <<http://britishorthodox.org/glastonburyreview/issue-122-circumcision-and-the-copts/>>.

<sup>21</sup> Trent, Session VI, Decree on Justification: chapter 1 states: 'On the Inability of Nature and of the Law to justify man. The holy Synod declares first, that, for the correct and sound understanding of the doctrine of Justification, it is necessary that each one recognise and confess, that, whereas all men had lost their innocence in the prevarication of Adam-having become unclean, and, as the apostle says, by nature children of wrath, as (this Synod) has set forth in the decree on original sin,-they were so far the servants of sin, and under

ontological can be seen to be understood as epistemologically operative. Can we be confident that Rabbinic Jews really know the truth of the gospel and have rejected it? Collectively and individually? To illustrate by an example: did every Jew in the twelfth century know that Jesus was the Jewish messiah and knowingly reject this truth? The answer is that while this might apply to some Jews, it could not be said with certainty to apply to all collectively, given what we know about the period: a deep mutual antagonism, but with the socio-political power lying with Christians. Hence, Rabbinic Jews of the flesh, are not subjectively existing in the *tria tempora*, but quite possibly subjectively exist in the first or second period of time which would constitute their subjective sense of objectivity. This is very significant.

The Catholic Church developed a term for this state of affairs: those in 'invincible ignorance'.<sup>22</sup> Hence, while an objective truth now exists: the messiah has come and is Jesus Christ; those who do not accept this truth may be invincibly ignorant and are not therefore culpable of 'rejecting' truth and salvation. Invincible ignorance denotes a person unable to rid themselves of a false viewpoint, despite the exercise of moral diligence, undertaking all that is possible and obligatory to discover the truth.<sup>23</sup> It is difficult to judge individuals and groups on this question, let alone after many centuries. However, given the animosity that developed between Jews and Catholics, it is not difficult to conceive of a Jewish person conscientiously following the God-given law in the Torah and later mediated by Rabbinical Judaism rejecting Jesus on conscientious religious grounds: Jesus does not conform to Israel's messiah as the world is still full of strife; that the incarnation is idolatrous and has been authoritatively deemed such by competent religious authorities; and if the incarnation is false, so is the trinity. This person may be reinforced in their view by certain objective facts: a long history of anti-Jewish practices by those who follow Jesus Christ; Christians seem committed to the extinction of Jewish practices (as seen in the Council of Florence) and thus to Jewish identity. And so on.

Admittedly, invincible ignorance depends on the individual and their precise circumstances. Aquinas allows for different gradations of culpability amongst the Jews, expecting far more from the learned than from the ignorant and manually busy.<sup>24</sup> One might argue that for a particular individual they could have: read the gospels; studied the Councils; read the great fathers of the Church; seen that there were pluriform views of the 'messiah' in the bible; studied philosophy to see that the incarnation is not technically idolatrous, and thus, the trinity may be true. They could also have been conscientious enough to transcend their historical circumstances: to see that Christian anti-Judaism might be later condemned by Christians; to forgive Christians despite having to live with the martyrdom of forefathers and mothers at the hands of Christians. They could have consulted a

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the power of the devil and of death, that not the Gentiles only by the force of nature, but not even the Jews by the very letter itself of the law of Moses, were able to be liberated, or to arise, therefrom; although free will, attenuated as it was in its powers, and bent down, was by no means extinguished in them.' See:

<http://www.thecounciloftrent.com/ch6.htm>

<sup>22</sup> See Stephen Bullivant, 'Sine Culpa? Vatican II and Inculpable Ignorance', *Theological Studies*, 72.1 (2011), 70–86; and Gavin D'Costa, *Vatican II: Catholic Doctrines on Jews and Muslims* (Oxford: Oxford University Press, 2014), 62–73.

<sup>23</sup> See Gerald O'Collins and Edward G. Farrugia, *A Concise Dictionary of Theology* (Mahwah, NJ.: Paulist Press, 2000), 123. *Gaudium et Spes*, 16 warns of a permissive reading: 'Conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience which by degrees grows practically sightless as a result of habitual sin.'

<sup>24</sup> See ST III, q. 47, a. 5. The elders, *maiores*, were culpable even if they feigned non-culpability; but the common person, the *minores* 'had not grasped the mysteries of the Scriptures' and cannot be blamed as the *maiores*.

learned Catholic to discuss all these matters. Whether all this would be considered as reasonably following their duty to the truth is open to discussion.

But should such Jews, even after they have done all this, be reconciled to the view that God's promises to fleshy Israel, ie. themselves, are now abrogated, dead, and even deadly? Should they accept that Jewish extinction is required for Christian practice, even though this occurred in phase two, even though Jesus, his first disciples and his mother and father all faithfully practiced Jewish ceremonial rituals? I think it is fair to argue that many Jews, and certainly Jews as a collective, in the past and present, could be considered as invincibly ignorant. From that, a lot else follows which begins to show how fulfilment might be the most viable solution.

Raising the objection of invincible ignorance is not novel. The presumption of the operative condition of the third period of the *tria tempora* was questioned with the discovery of the so called 'new world' in the sixteenth century, when whole cultures were discovered that had never heard the gospel.<sup>25</sup> Theologians like Francisco de Vitoria (ca. 1492-1546) and Bartolomé de Las Casas (1484-1566) deployed Aquinas' concept of invincible ignorance to address the question of the invincibly ignorant non-Christian. They developed an interesting insight (repeated in *Gaudium et Spes*, 19) not registered in the earlier doctrine of invincible ignorance: that a person (in their case, native Indians in the Americas) may be invincibly ignorant *even after hearing the Gospel*, given the scandalous behaviour of those 'preaching' the Gospel'.<sup>26</sup> Las Casas argued that the missionaries, who now act like wild beasts and wolves, are scandalously 'bearded messengers armed to the teeth with terrible weapons.'<sup>27</sup> Invincible ignorance was extended and applied to areas where 'missionary activity' was operative and in relation to people who had 'heard' the gospel, but the hearing had been obscured through no fault of their own and even through the behaviour of Catholics.

Furthermore, we see the ascendancy of the invincible ignorance teaching in magisterial documents so that it is constantly linked to the *extra ecclesiam nulla salus*, 'no salvation outside the church', teaching found in Florence. This first happens in Pope Pius IX's encyclical *Singulari quadam* (1854)<sup>28</sup>, then again in Pius's *Quanto conficiamur moerore*, (1863), 7:

It is known to Us and to you that those who labour in invincible ignorance concerning our most holy religion and who, assiduously observing the natural law and its precepts which God had inscribed in the hearts of all, and being ready to obey God, live an honest and upright life can, through the working of the divine light and grace, attain eternal life.<sup>29</sup>

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<sup>25</sup> See Francis A. Sullivan, *Salvation Outside the Church?: Tracing the History of the Catholic Response* (London: G. Chapman, 1992), 44-62.

<sup>26</sup> See Francisco de Vitoria, *De Indis recenter inventis, et De jure belli Hispanorum in barbaros*, in editor Walter Schötzel (Tübingen: Mohr, 1952 [1539]), 76 (q. 2, a. 4), where de Vitoria cites Cardinal Cajetan: 'it is rash and imprudent of anyone to believe something (especially in matters such as these, concerning salvation) unless one knows it to be from a trustworthy source.' Vitoria calls into question Aquinas' distinction between the Gospel's 'fame' and its 'effects' in a historical Church. The latter was problematised in a way that Aquinas had not allowed for in his discussion.

<sup>27</sup> Bartolomé de Las Casas, *History of the Indies*, editor and translator Andrée M. Collard (New York: Harper, 1971 [1552]), 194.

<sup>28</sup> Pius IX *Pontificis Maximi Acta: Pars Prima*, volume L, (Rome: Bonarum Artium, 1864) 620-31, at 626.

<sup>29</sup> Pius IX *Pontificis Maximi Acta: Pars Prima*, volume 3 [Rome: Bonarum Artium, 1867] 609-21, at 613-14.

English translation available at:

<http://www.papalencyclicals.net/Pius09/p9quanto.htm>.

Finally, in Vatican II's *Lumen Gentium*, the conditions for that teaching are repeated.<sup>30</sup> *Lumen Gentium* thus specifies that no salvation outside the church can only be applied to those who know (epistemologically) that the Church is the truth of Jesus Christ (ontologically). Hence, to employ this category in relation to Jews as I have urged, does not entail a novelty but a prudential consistency, without in any way undermining previous doctrinally authoritative teachings. Nor am I suggesting a lazy way out of the problem, for it seems quite plausible that these conditions exist.

The term 'invincibly ignorant' is often understood negatively by those whom it designates and has caused offence to some Jews who claim that it infantilises them.<sup>31</sup> This was not the purpose of the term. Apologetically there are good reasons to employ different terminology to avoid unnecessary misunderstandings.

The first objection begins to reconfigure the landscape considerably, without undermining either the authority or doctrinal intention of *Cantate*. It allows that ceremonial practices of the Mosaic law were providentially instituted in the first period. Augustine, Aquinas and *Cantate* maintain this teaching – these practices were ordained by God, even though their status as signs, quasi-sacramental, or sacramental acts is not clarified by *Cantate*. In *Cantate*'s language they 'were suited to the divine worship at that time' and were 'efficacious' at that time. Hence, understanding fulfilment to refer to Rabbinic Judaism under the conditions of invincible ignorance is not quite the problem it first appeared to be. As Perrier states it: 'From the subjective point of view, each Jew following in good faith his tradition is led toward Christ and receives Christ's grace in the measure to which this tradition conserves its right orientation toward Christ. He cannot remain in good faith if, arriving at explicit knowledge of Christ, he continues to prefer what he henceforth perceives as being only a figure of Christ.'<sup>32</sup> Rabbinic Judaism's practices can be understood as God given, their covenant intact, God's fidelity to it 'objectively' operating to those who are subjectively living in period one, epistemologically before the coming of Jesus. The fact that biblical Israel and Rabbinic Judaism are both discontinuous and continuous with each other and that under period one, the ruling applies to biblical Judaism, objectively speaking we can see that under the conditions specified, the ruling applied to biblical Judaism could be analogically applied to Rabbinic Judaism. Hebrew Catholics, if we take Lawrence Feingold's three volume work as indicative of Hebrew Catholicism for the sake of convenience, does not maintain that the ceremonial practices are salvific *per se*, but that they are practices that were followed by Christ, and through him have a salvific power but not in the manner of *opus operatum*, which is attributed purely to the seven sacraments.<sup>33</sup> In that sense, Feingold as a Hebrew Catholic does not cross the line that *Cantate* draws: only faith in Christ is strictly necessary for salvation; that is upheld. But faith in Christ, would not in itself exclude Jewish practices which are messianically reconfigured. We must recall that Jesus Christ continued in these practices all the days of his life, from circumcision, through to preaching at the synagogue as a male Jewish adult, through to the preparations at his death and entombment. He came to fulfil the law, not the abolish it. That there can be differing practices within the one Church, formed and reconfigured by the Jewish Messiah, does not detract from full unity. It did not in the

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<sup>30</sup> See D'Costa, *ibid*, 62-79.

<sup>31</sup> Although Montefiore note this same conceptual concern in the Rabbinic tradition in C. G. Montefiore and H. M. J. Loewe, *A Rabbinic Anthology: Selected and Arranged with Comments and Introductions* (Cleveland: World Publishing Company, 1963), 576: 'For if the heathen knew no better, and had never heard of the one true God, how could their doom be justified?'. He shows how the rabbinic literature explains why this is unlikely given the theory of the 'seven prophets' and then the law so that all could see and hear the truth of the one God.

<sup>32</sup> Perrier, 'The Election of Israel Today', 493.

<sup>33</sup> See Lawrence Feingold, *Mystery of Israel and the Church, Vol. 1, Figure and Fulfillment*, 12-84.

early church and need not in the contemporary church as long as the conditions just specified are respected.

In fact, and this is most significant, *Cantate* lends credence to a different practice within the Church were there to be Jews of the flesh within the Church. It recognizes that the teaching of Acts 15.29 served to unify the church, rather than create two churches by providing 'for coming together into one worship of God and one faith, and ground for dissension was removed'. Acts 15.29 lost its value in the third period with the disappearance of carnal Israel within the church. *Cantate* says 'when the Christian religion is so propagated that no carnal Jew appears in it, but all passing over to the Church' then it is fitting that the rites and ceremonies of the old Law be prohibited. Does the converse hold: when there are carnal Jews within the Church, then it may be appropriate that the 'rites and ceremonies of the old Law' are permitted again? <sup>34</sup> This is important because Hebrew Catholics today testify to the reality that 'carnal Jews' of the flesh have reappeared within the body of Christ. Modern Hebrew Catholics testify to the reality of the second period when such practices were permitted and expressly accepted as legitimate, so long as that legitimacy was not construed to indicate that such rites were salvific *per se* apart from Jesus Christ or in any way acted against the unity of the church and an equal sharing of Jesus' mission and adoption as God's children.

It is also interesting to note that in the fifteenth century, as evidenced by *Cantate*, and we will see below in the seventeenth century, that certain Jewish rites are present and practiced within the Eastern Churches. Sometimes they are obligatory (for gentile Christians!) as in the East but had been eradicated as obligatory in the Latin West and viewed as counsel (again, ironically for gentile Christians). This is true of circumcision, Saturday Sabbath and some dietary laws. Below, we will see a later pope arguing that the Church has the power to allow for such practices within the Church so long as they do not contravene the intention of *Cantate*.

The implication of *Cantate* for Messianic Jews, from the standpoint of Catholic theology, is slightly more complex for two reasons. The internal plurality of Messianic Jews means that there are some groups, who in their rejection of Christ's divinity and the trinity and thus the creeds of the Church, are more closely related to Rabbinic Judaism, although their acceptance of Jesus as messiah of course distinguishes them sharply from Rabbinic Jews. Some Messianic Jews accept baptism; others do not practice it. <sup>35</sup> Others accept incarnation and trinity and thus doctrinally can agree with the Nicene creed, so are more akin to non-Catholic Christians, but their acceptance of seven sacraments is rare, so then more akin to Protestant Christians, from which most historically derive. *Cantate* only condemns those who know the messiah has come and hold that the ceremonial law is necessary for salvation. In the writings and typologies of messianic Jews, I cannot find any groups or messianic theologians who would stipulate the matter in this way, although Mark Kinzer would argue for the obligatory nature of the Mosaic ceremonial law. However, Kinzer does not claim this is 'necessary for salvation' for gentiles, nor does he claim it is 'necessary for salvation' apart from faith in Christ, the

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<sup>34</sup> See the remarkable testimony of Channah Bardan, *The Bride* (St Louis, MO: Miriam Press, 2017) which tells of an Orthodox Jew who is a Catholic and shows how her traditional Jewish practices serve and strengthen her Catholicism. Her work also indicates the significance of Mary as illuminating both her Orthodox practices and her Catholic theology and devotion.

<sup>35</sup> See Richard Harvey, *Mapping Messianic Jewish Theology: A Constructive Approach* (Milton Keynes: Paternoster, 2009); and Dan Cohn-Sherbok, *Messianic Judaism* (London ; New York: Continuum, 2000). This is when David Novak's critique of messianic Jews breaks down because of excessive generalisations in *Talking with Christians*, 218-29. He thinks they all accept incarnation and trinity. He also thinks they all have set views on the definition of the messiah. This is not the case.

messiah.<sup>36</sup> Hence, a tentative conclusion regarding Messianic Jews is that they be split into Messianic Jews 1 (who accept the incarnation, trinity and Nicene Creed and baptism) and Messianic Jews 2 (who accept Jesus as messiah, but not the beliefs of Messianic Jews 1). Catholics should consider both as serious partners in dialogue: Messianic Jews 1, under similar conditions to those designated as ‘ecclesial communities’ rather than ‘Churches’ (for in ‘Churches’ the seven sacraments are accepted); and for Messianic Jews 2, similar conditions to those designated ‘other religions’, given that they do not accept baptism, incarnation and trinity. Admittedly, Messianic Jews 2 sit uncomfortably in that category given their acceptance of the New Testament and Jesus as messiah, so this requires further attention as during the Council their case was not considered when considering differing forms of ecumenism. At present the Vatican is involved formally with messianic communities through the Commission for Religious Relations with the Jews, under the auspices of the Commission for Promoting Christian Unity.<sup>37</sup>

As a brief aside, we may ask, what does the above show us about the two covenant view? Even on the subjective level, assuming invincible ignorance, it would be difficult to argue for the two covenant position, that the Jewish people today are in an irrevocable covenant which is salvifically sufficient in itself and thus sufficient for salvation without Jesus Christ. This would also contradict Marshall’s [1], that Christ alone is the cause of salvation. However, if it were argued that Jewish practices are ordered towards that salvation which is attained by Christ’s passion and such an ordering would provide grace that did not exclude such Jews from salvation, which is the position taken by the early Church for the righteous of Israel who died before Christ came to his people, this would surely be acceptable to the intention of *Cantate*. It is included in *Cantate*’s acceptance of the first period, which it assumes as past. One way the early Church reconciled the question of how righteous Jews before the time of Christ, in the first period, were saved was by arguing that in Christ’s descent into the ‘underworld’, the Jewish righteous before his incarnation were redeemed.<sup>38</sup> They had been waiting in the limbo of the fathers (*limbus partum*). What we learn from this solution is the necessity of explicit faith in Christ that is represented in this event. It also amounts to holding fulfilment, not the two covenants view. The fulfilment view seems to be the position that is taken up by the 2015 statement of the Council for Religious Relations with the Jews, *The Gifts and the Calling of God Are Irrevocable*” (Rom 11:29) - *A Reflection on Theological Questions Pertaining to Catholic-Jewish Relations* [subsequently *Gifts*].<sup>39</sup>

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<sup>36</sup> Mark S. Kinzer, *Postmissionary Messianic Judaism: Redefining Christian Engagement with the Jewish People* (Grand Rapids, Mich.: Brazos Press, 2005); Mark S. Kinzer, *Searching Her Own Mystery: Nostra Aetate, the Jewish People, and the Identity of the Church* (Eugene, OR: Cascade Books, an Imprint of Wipf and Stock Publishers, 2015). Kinzer, in this last book, seeks fuller union with the Catholic Church, which is new, and a most hopeful sign, amongst Messianic Jews.

<sup>37</sup> See Kinzer, *Searching Her Own Mystery*, and Cardinal Schonborn’s preface; and also Peter Hocken, *Azusa, Rome, and Zion: Pentecostal Faith, Catholic Reform, and Jewish Roots* (Eugene, Oregon: Pickwick Publications, 2016) who participated in the Vatican’s informal talks with Messianic Jews. Cardinal Schonborn also adds a preface. That this group is under the wing of ‘Christian unity’ perhaps resolves the problem of D2.

<sup>38</sup> See Gavin D’Costa, *Christianity and World Religions: Disputed Questions in the Theology of Religions* (Oxford: Wiley-Blackwell, 2009), 161-211; and the subsequent discussion of D’Costa’s argument in Jakob Wirén, *Hope and Otherness: Christian Eschatology and Interreligious Hospitality* (Leiden: Brill, 2017), 122-29.

<sup>39</sup> Commission for Religious Relations with the Jews, “*The Gifts and the Calling of God Are Irrevocable*” (Rom 11:29) - *A Reflection on Theological Questions Pertaining to Catholic-Jewish Relations* (10 December 2015) <[http://www.vatican.va/roman\\_curia/pontifical\\_councils/chrstuni/relations-jews-docs/rc\\_pc\\_chrstuni\\_doc\\_20151210\\_ebraismo-nostra-aetate\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/chrstuni/relations-jews-docs/rc_pc_chrstuni_doc_20151210_ebraismo-nostra-aetate_en.html)> [accessed 2 November 2017]. Two covenant is rejected by *Gifts* 35: ‘Since God has never revoked his covenant with his people Israel, there cannot be different paths or approaches to God’s salvation. The theory that there may be two different paths

Let me return to the main argument. The second objection against viewing *Cantate* as excluding the fulfilment view is that the word 'Jews' in the final paragraph cited must mean that all Jews are considered damned as they have not accepted Christ. Some theologians argue that Vatican II constitutes a U turn on this matter: previously in *Cantate*, the Jews were damned; at Vatican II they are not.<sup>40</sup> Since I have attended to this problem elsewhere, I will only repeat the basic outlines of my attempted refutation of this reading of contradiction in magisterial teachings.<sup>41</sup>

First, the word 'Jews' [*sed nec Iudeos*] in *Cantate* assumes those who know the truth and have wilfully rejected it. They are not invincibly ignorant. This is clear by their textual assimilation and lining up with pagans, heretics and schismatics, all of whom are viewed as knowing the truth and either rejecting it, as do pagans, or perverting it, as do Jews, heretics and schismatics. Second, 'Jews' [*Iudaeis*] in Vatican II, are considered ignorant of the truth, and thus invincibly ignorant as in the treatment offered in *Lumen Gentium* 16, line 1.<sup>42</sup> The word 'Jews' isn't used in *Lumen Gentium*, only *Nostra Aetate* (eleven times). *Lumen Gentium* refers to them through their Pauline title in Romans 9.4-5: 'that people to whom the testaments and promises were given' [*populus ille cui data fuerunt testamenta et promissa*]. Thus, one can properly conclude that the 'Jews' of Vatican II are a differently predicated object than the 'Jews' of *Cantate*. While the word used is the same, the assumed invincible ignorance in the referent 'Jews' in Vatican II means that the referent in each instance is incommensurable regarding culpability. Once this is recognised it cannot be argued that there is a U turn in magisterial teachings. Rather, there is a difference of context when 'Jews' are referred to which allows the same doctrinal intention (no salvation apart from Christ) to be specified, which is an unchanging doctrinal teaching, and now applied in practice in the context of prudential judgement. If this is so, it also refutes the two covenant view and supports fulfilment, for the two covenant view could not be true for *Cantate*, even under the conditions of invincible ignorance, which is the only changed condition between *Cantate* and Vatican II and the modern magisterium's development of doctrine.

The third objection against viewing *Cantate* as excluding fulfilment is the magisterial commentary on some of the central issues of *Cantate* found in the encyclical, *Ex quo primum*, (1756). Pope Benedict XIV is here explaining why some changes have been introduced into the Roman permitted form of the Greek *Euchologion* (the liturgical missal for priests and deacons) for those in communion with Rome. They are concerned with blessings that remove impurities, some related to dietary laws (Acts 15.29), and some related to women and purification (deriving from Leviticus 12). Here again we find evidence that right up to the eighteenth century in Eastern communities some of the strictures placed by James as head of the Jerusalem community on gentiles at the Council of Jerusalem (Acts

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to salvation, the Jewish path without Christ and the path with the Christ, whom Christians believe is Jesus of Nazareth, would in fact endanger the foundations of Christian faith.' Marianne Moyaert rightly notes that the two covenant position can take on different forms and it is not always clear which forms are being condemned in *Dominus Iesus*. See Marianne Moyaert, "'The Gifts and the Calling of God Are Irrevocable'" (Rom 11:29): A Theological Reflection', *Irish Theological Quarterly*, 83.1 (2018), 24–43  
<<https://doi.org/10.1177/0021140017742797>>.

<sup>40</sup> Gerald O'Collins, *Second Vatican Council on Other Religions* (Oxford: OUP Oxford, 2013), 204.

<sup>41</sup> D'Costa, *Vatican II*, 113-19.

<sup>42</sup> *Which reads*: 'Finally, those who have not yet [Latin: *nondum* - thus assuming a time when all will] received the Gospel [thus those prior to the third period of the *tria tempora*] are related [*ordinantur*] in various ways to the people of God. 1<sup>18</sup>' Note 18 refers to St. Thomas, *Summa Theol.* III, q. 8, a. 3, ad 1. *Ordinantur* means they are related to the truth of Christ and oriented towards it. Thomas argues this group [*ordinantur*] are still required to make a profession of faith, but are on the right path towards making this. For my reading of this line and note, see *Vatican II*, 89-99.

15. 29) were being honoured, even in the third period, and even when there were no Jewish Christians practicing within these churches. <sup>43</sup> That these traditions were honoured is important for my overall argument.

I cite the conclusion of *Ex quo* in full where it deals with this issue, by reaffirming the teachings of *Cantate*, which is to be expected. <sup>44</sup> But *Ex quo* also adds further clarification: that even at the objective level of the third period, practices of the second period may be permitted, not to affirm the legitimacy of the ceremonial law which is now illegitimate (assuming they are being practiced by Jews who have rejected the truth of Christ and are thus culpable) but acknowledging that their intention in use and their being authorized by a competent authority would grant legitimacy to them in acts of worship. The argument is entirely prudential, not doctrinally conceding an inch of ground established by *Cantate*. But *Ex quo* allows complicating factors to be considered carefully. It says:

67. The third and final point suggested by the text of the fourth admonition [regarding blessings that purify suggesting uncleanness by standards of the old ceremonial law] is that Greek priests are not forbidden to use any of the prayers or blessings which are in their Euchologion by reason of references to matters which were subject to the ceremonial precepts of the Old Law. They should, however, do everything with the intention not of obeying the precepts of the old Law, which has now been abrogated, but of respecting the new Law of the Church or canonical custom made strong by long and unbroken observance.

... Certain schismatics have tried to calumniate the Latin church by saying that it judaizes by consecrating unleavened bread, observing the Sabbath, and retaining the anointing of kings among the sacred rites. But Leo Allatius counters their rash claim in his splendid work *de perpetua consensione Ecclesiae Occidentalis et Orientalis*, bk. 3, chap. 4. He refutes them particularly by arguing as follows: "Since Jews observe Sabbaths, a man who observes Sabbaths acts in Jewish fashion: therefore the man who does not eat the flesh of strangled animals acts in Jewish fashion since the Jews are forbidden by the Law to eat such food: but the Greeks do not eat such food: therefore, the Greek judaize" (loc. cit. n. 4). Then to Our purpose he concludes (n. 9) that it cannot be absolutely asserted that that man judaizes who does something in the Church which corresponds to the ceremonies of the old Law. "If a man should perform acts for a different end and purpose (even with the intention of worship and as religious ceremonies), not in the spirit of that Law nor on the basis of it, but either from personal decision, from human custom, or on the instruction of the Church, he would not sin, nor could he be said to judaize. So when a man does something in the Church which resembles the ceremonies of the old Law, he must not always be said to judaize."

Seven paragraphs later, regarding laws in Leviticus 12 related to ritual cleanliness and childbirth, which relates to Eastern practices, it outlines the practices that have been constant in the Greek tradition on these matters and the discussion had by experts. It endorses the outcome of that discussion:

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<sup>43</sup> James proclaims (21, 29): 'It is my judgment, therefore, that we ought to stop troubling the Gentiles who turn to God, but tell them by letter to avoid pollution from idols, unlawful marriage, the meat of strangled animals, and blood.' For the complexity of reconstructing this early community and discerning the practices and existence of the church of the circumcision, see Oskar Skarsaune and Reidar Hvalvik, *Jewish Believers in Jesus: The Early Centuries* (Peabody, Mass.: Hendrickson Publishers, 2007), 55-240 deals with the first community.

<sup>44</sup> I am using the English translation at: <http://www.papalencyclicals.net/ben14/b14exquo.htm>



74. But others remarked wisely that some, surely, of the ceremonial rites of the old Law could be observed under the new Law if only they were not done as obligations of the old Law, which was abrogated, but as a custom, or lawful tradition, or as a new precept issued by one enjoying the recognized and competent authority to make laws and to enforce them, as Vasquez observes (vol. 3, in the 3rd part of the *Summa*, disp. 210, quest. 80, art. 7). It was decided that there was no real ground for surprise that the observance of a period after childbirth should be simply a counsel for Latin women, but obligatory law for the Greeks. Moreover, since the Greeks perform the rite in a different way than the Jews of old in not making an offering to the priest in the Jewish way, and since they sanctify the rite with suitable prayers, beseeching God to forgive any sins the woman has committed, and since the patronage of the Virgin Mother of God is invoked for this very purpose, it was decided on January 8, 1747, by those whom We had placed in charge of the revision of the Euchologion, to make no changes in this section. We subsequently approved their decision.

There are three important advances in this authoritative encyclical.

First, intentionality is vital in assessing any liturgical act. For example: a Jew from Rabbinic Judaism praying a prayer, let us say the first prayer of the morning, the *Modeh Ani*, cannot simply be equated to a Hebrew Catholic praying that same prayer: 'I am thankful before You, living and enduring King, for you have mercifully restored my soul within me. Great is Your faithfulness.'<sup>45</sup> While each utters the same words, their intention is different, as well as overlapping, because the cluster of beliefs within which this prayer is now embedded are different. To assume similarity just because the words and gestures are the same, when conducted by Rabbinic Jews and Hebrew Catholics, excludes the vital intentionality of the person/community. The same could be said if we introduced a messianic Jews saying this prayer. We would have three different sets of intentionality that excludes the view of a straightforward act practiced in common.

This example is easy as the words are the 'same', but some prayers that look exclusively forward to the messiah, rather than acknowledging he has come and is yet to come again, would have to be modified. Such would be the case for a prayer from the *Yigdal* that is sometimes said in the morning, and for Maimonides said to be an article of Jewish faith: 'I believe with complete faith in the coming of Moshiach (Messiah). And though he may tarry, I shall wait anticipating his arrival each day.' Even if this prayer was not changed, as it could represent a Christian view of the second coming, the intention of someone praying it from Rabbinic Judaism and Hebrew Catholicism could not be said to be the same. It is possible that some change might be required when prayed by a Hebrew Catholic and indeed, a Messianic Jew. The extent to which prayers are changed varies within the latter as is evident from Richard Harvey's typological study of different forms of Messianic Judaism.<sup>46</sup> In one sense, the changing of prayers is of greater concern to Hebrew Catholics who live under the authority of *Cantate*, whereas Messianic Jews do not.

Second, such acts as described above with their different intentionality, can also include 'worship' and 'religious ceremony' without detriment or contradiction to earlier teachings. Benedict XIV is very clear that he is keeping with the intentions of *Cantate* by explicitly citing it by name (ten times) and also directly quoting *Cantate*. In a section that I have not quoted above, # 61, as with *Cantate*,

<sup>45</sup> מוֹדֵה אֲנִי הָאֵשֶׁה אוֹמֵר: מוֹדֵה לְפָנֶיךָ מֶלֶךְ חַי וְקַיִם שֶׁהִתְחַוְּרָתִי בִּי נִשְׁמָתִי בְּחִמְלֶךָ, רַבָּה אֲמוּנָתְךָ:

<sup>46</sup> That this is not always the case is evident from Harvey's and Cohn-Sherbok typological studies of different forms of Messianic Judaism. In one sense, the changing of prayers is of greater concern to Israel C who live under the authority of *Cantate*. But the practices of Israel D are also a challenge to Israel C.

accepts the Acts 15.29 settlement as legitimate because it 'was ordained to remove all occasion of disagreement between Jewish and Gentile converts to Christ.' It is clear that two forms of practice were not seen as impeding the deep unity within the Church. Immediately after, it shows that this legitimate ordination was conditional on the existence of Jewish converts, for it adds: 'Since this reason [Jewish converts] has long since vanished, its consequence should also be said to have vanished.' *Mutatis mutandis* it can be argued that since these conditions now obtain again there is good reason for the competent authorities to restore both Acts 15.29 and its concomitant: that Jewish practices within the ecclesia are perfectly legitimate as they were in the early liturgical life of the church. As long as such practices do not inhibit full communion within the church for Jews and gentiles are one in Christ's body, nor indicate different grades of holiness or closeness to God, for through Jesus, both Jew and gentile are united around his table together as his children. But difference, as such, should not be viewed as contra-communion. While Paul in Galatians 3:28 argues that in Christ 'There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female', this did not mean that in his view women and men have exactly the same role. For the Catholic Church it has not meant that sexual difference and certain roles related to that difference are eradicated in the pilgrim church. Likewise, the Jewish Catholic may undertake some practices that a gentile Catholic may not, in the same way that a male Catholic might undertake some practices (ordination to the priesthood) that a female Catholic may not undertake. In fact the latter are differences that are more deeply inscribed into Catholic cosmology, whereas the difference related to Jewish and gentile Catholic that I'm outlining does not require obligatory exclusive practices for Jewish Catholics. The internal plurality within Hebrew Catholics is fully acknowledged by the group and reflect the differing ways of being Jewish before coming to accept Jesus.<sup>47</sup> This is important for recognizing the legitimacy and distinct freely chosen vocation of Hebrew Catholics, on an analogical basis to those of the male and female differences. In fact, Hebrew Catholics would have a much stronger case than the Greeks that are being addressed in this encyclical, for Hebrew Catholics are 'Israel of the flesh'. The Eastern gentile communities were not. Hebrew Catholics thus reconstitute the second period of the *tria tempora*.

Third, the pope is clearly indicating the church's authority to affirm such practices that were earlier deemed as judaizing. # 63 states: 'nevertheless the Church of Christ has the power of renewing the obligation to observe some of the old precepts for just and serious reasons, despite their abrogation by the New Law.' This is quite remarkable for it clarifies the thrust of *Cantate* and makes room for a renewal of the church of the circumcision within the body of Christ, prefiguring *Gifts* 15's statement on this matter: 'In the early years of the Church, therefore, there were the so-called Jewish Christians and the Gentile Christians, the *ecclesia ex circumcisione* and the *ecclesia ex gentibus*, one Church originating from Judaism, the other from the Gentiles, who however together constituted the one and only Church of Jesus Christ.'<sup>48</sup>

Hebrew Catholics are slowly coming into focus as a concomitant, not a logically necessary one, of the fulfilment thesis. This should be carefully qualified to avoid misunderstanding. From the magisterial documents, it stipulates that those 'precepts whose main function was to foreshadow the coming of the Messiah should not be restored, for example, circumcision and the sacrifice of animals.' It is immaterial whether circumcision is properly understood primarily as an act of foreshadowing the

<sup>47</sup> See Channah Bardan, *The Bride*, xii (preface by Kathleen M. Moss).

<sup>48</sup> And 43: 'It is and remains a qualitative definition of the Church of the New Covenant that it consists of Jews and Gentiles, even if the quantitative proportions of Jewish and Gentile Christians may initially give a different impression.' The mission of Israel must be now undertaken equally by both Hebrew Catholics and gentile Catholics, together, as one body.

coming of the messiah within biblical and Rabbinic Israel, or whether it is better understood as a tangible mark of belonging to a people. But the stipulation's intention is clear: since the messiah has come, one cannot act and pray and worship as if he hadn't. It does not speak about modifying prayers or ritual acts that do anticipate the messiah as their sole function and leaves this matter unclarified, although we have seen above, it does require clarification and resolution for Hebrew Catholics.

One further point is the acceptance of internally differing practices within the Catholic communion: these ceremonial acts of the Mosaic law can be maintained either as obligatory, as in the East, or as counsel, in the West. Perhaps when these acts took place in a gentile only Church, they were foreshadowing the return of the time when the Jewish witness would one day return to the Church. This allows that within the one body, significant differences of liturgical practice may exist as it does today. One only has to visit Eastern Churches which are in full communion with Rome such as the Maronite, Byzantine, Alexandrian, Armenian, Eastern Syrian churches to witness to profoundly differing liturgical celebrations, both related to the seven sacraments but also to feast days and pilgrimages that are sometimes unique to those communities. This is important for recognizing the legitimacy of Hebrew Catholics, again on an analogical basis to the early first century apostolic community. In in voluntary fashion, that community may meet to celebrate Shabbat on Friday/Saturday before the Eucharistic feast of Sunday.<sup>49</sup> If, for example, some messianic congregations desire fuller communion with the Holy See, it is difficult to predict what shape they might take and what may and may not be permissible viz. their current practices, and how they would eventually relate to current Hebrew Catholics.

Does the above analysis effect our view of Rabbinic Judaism in any way? No: for *Ex quo* continues with the assumption of an objective third period that has affected all Jews. Yes: for none of the conclusions derived from recognizing invincible ignorance in interpreting *Cantate* are called into question in interpreting *Ex quo*, whereby one might recognise that Rabbinic Judaism under the condition of invincible ignorance is protected by God, marked by his gifts and promises and his fidelity. This denotes Israel of the flesh indicated in the fulfilment thesis. Through this analysis we have unexpectedly come to see the shape of Hebrew Catholics and Messianic Jews when examining the shape of 'Israel' in Paul's theology as being expounded by the magisterium. This unexpected dimension can only count as a blessing for it deepens the Catholic appreciation of the *ecclesia* and offers an opportunity to come closer, analogically, with the earliest church without in any way cancelling the shaping of the church that has taken place between the third and twenty first centuries.

Before concluding this section, a brief comment about *Mystici Corporis* (1943), 29-30 and *Dominus Iesus* (2000), 14 are in order. *Mystici* reiterates the tradition expressed in *Cantate* and in note 31 and 36, indicates this tradition arises from St Jerome, Augustine and Aquinas and is taught in *Cantate*. In that sense, it reiterates the key point of *Cantate*: the ceremonial law has no power to save *per se*, for salvation is exclusively from Christ. The encyclical does not deal with the *tria tempora* and is therefore not quite so sophisticated as *Cantate* or *Ex quo*. *Mystici's* concerns were very different so this is understandable. By referencing this venerable theological tradition *Mystici* signals the complexities that we have examined above.

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<sup>49</sup> See Bardan, *The Bride*, 28-68 for a most moving account of this integration of para-liturgical services with the Eucharistic feast.

The exclusive salvific efficacy of Jesus Christ is reiterated in *Dominus Iesus*, 14. While it does not address Rabbinic Judaism as such, and some have claimed without sufficient textual warrant that it excludes Rabbinic Judaism from its scope,<sup>50</sup> it clearly reiterates: (a) the exclusive salvific causality of Christ's passion and resurrection; and (b) only within this context, accepts that there are 'participated mediations', that lead one to Christ and participate in his powers. (b) has been a source of much controversy as the term 'participated mediation' was used of Mary in *Lumen* 62, which has a long tradition, but was then applied in a quite novel manner to those outside the church in *Redemptoris Missio* 5. I have offered an exegesis of *Dominus Iesus* elsewhere,<sup>51</sup> but here want to suggest that the teachings of *Dominus Iesus* rule out the two covenant thesis and allow for the fulfilment thesis. This could be argued from *Dominus*, 14 which reads:

14. It must therefore be *firmly believed* as a truth of Catholic faith that the universal salvific will of the One and Triune God is offered and accomplished once for all in the mystery of the incarnation, death, and resurrection of the Son of God.

Bearing in mind this article of faith, theology today, in its reflection on the existence of other religious experiences and on their meaning in God's salvific plan, is invited to explore if and in what way the historical figures and positive elements of these religions may fall within the divine plan of salvation. In this undertaking, theological research has a vast field of work under the guidance of the Church's Magisterium. The Second Vatican Council, in fact, has stated that: "the unique mediation of the Redeemer does not exclude, but rather gives rise to a manifold cooperation which is but a participation in this one source". [*Lumen Gentium*, 62] The content of this participated mediation should be explored more deeply, but must remain always consistent with the principle of Christ's unique mediation: "Although participated forms of mediation of different kinds and degrees are not excluded, they acquire meaning and value *only* from Christ's own mediation, and they cannot be understood as parallel or complementary to his". [JOHN PAUL II, Encyclical Letter, *Redemptoris missio*, 5] Hence, those solutions that propose a salvific action of God beyond the unique mediation of Christ would be contrary to Christian and Catholic faith.<sup>52</sup>

This first section might be summarised as arguing the following: the fulfilment thesis is permissible, with the qualifications made in the argument so far; the two covenant thesis is not permissible; and the supersessionist thesis is possible. *Dominus Iesus* does not address these three options explicitly nor does it engage with the recent emerging magisterial utterances regarding Israel of the flesh.

The fulfilment thesis might be better expressed with more nuance and clarity in the light of the discussion above as proposing:

that the Jewish people who rejected Christ are not rejected by God, who is faithful to his covenantal promises to his people, even when his people are disobedient; but it is not possible to view all Jews as wilfully rejecting Christ, and for those invincibly ignorant Jews,

<sup>50</sup> Cite Walter Kaspar, 'Dominus Iesus', 2001 <<http://www.ccjr.us/dialogika-resources/documents-and-statements/roman-catholic/kasper/497-kasper01may1>>

<sup>51</sup> Gavin D'Costa, 'Christian Orthodoxy and Religious Pluralism: A Response to Terrence W. Tilley', *Modern Theology*, 23.3 (2007), 435–46; and in response to Tilley, D'Costa, "'Christian Orthodoxy and Religious Pluralism": A Further Rejoinder to Terrence Tilley', *Modern Theology*, 23.3 (2007), 455–462.

<sup>52</sup> See: Congregation for the Doctrine of the Faith, 'Dominus Iesus', 2000 <[http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20000806\\_dominus-iesus\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000806_dominus-iesus_en.html)>.

one might see them as subjectively operating in the first time period of the *tria tempora*, such that analogically Rabbinic Judaism might be seen to be in the same position of biblical Judaism, as existing before the coming of Christ. This does not detract from the discontinuity between biblical Judaism and Rabbinic Judaism. The promises and gifts and covenant are all operative for both groups under these conditions. While these practices, when done sincerely, are oriented towards the messiah and participate in His effects, we are unable to establish the precise status of these rites in magisterial statements except negatively: they are insufficient for salvation *per se*; they are instituted by God and efficacious; but knowledge of Christ is required for the fullness of salvation.

This redefinition of fulfilment in relation to Rabbinic Judaism means that the question of mission or not to the Jewish people also requires further analytical attention. I signified some options in my original specification: God's action alone brings about Rabbinic Judaism's recognising Jesus the messiah in the eschaton and/or that the church's actions are required as well, here in history in bringing about this final 'coming in'.

Furthermore, we might add to the fulfilment thesis:

Hebrew Catholics represents a resurfacing of carnal Israel within the church, as during the second time period of the *tria tempora* and here again, the tradition allows for the possibility, following Acts 15.29, of Jewish practices within the church, but their intentionality and their authorizing, means these acts are not identical to those carried out by Rabbinic Judaism, but have enough commonality to establish Hebrew Catholics as also part of carnal Israel. Finally, Messianic Jews were distinguished by Messianic Jews 1 and Messianic Jews 2, the first bearing closer resemblance to ecclesial communities, the second, to other religions – based on present criteria.

When the fulfilment thesis was formulated as an interpretation of the magisterium's affirmation of God's fidelity to his covenant with his people, carnal Israel, it did not explicitly involve or Hebrew Catholics or Messianic Jews. However, fifty years after *Nostra Aetate*, 4, in *Gifts* 15 and 43, we discover a recognition of Hebrew Catholics appearing within official documents – and within that same time span, official ongoing dialogue with Messianic Jews. It is no longer possible to speak of 'carnal Israel' without attending to these three different but related phenomena.

Doctrines develop as does the complexity of history which shows how some doctrines illuminate later issues that in their original germination were not existent for the formulators or for the immediate audience. We have seen this in the above discussion in noting how *extra ecclesiam nulla salus* began to be understood and qualified by the doctrine of invincible ignorance. This allowed for a deeper understanding of the original doctrine, how *extra ecclesiam nulla salus*, and how to apply it with its positive meaning rather than falsely, by excluding anyone from salvation who was not a Catholic. The fate of Fr Leonard Feeney is well known: he was excommunicated for applying 'no salvation outside the church' to Hindus and Protestants.<sup>53</sup> But the writers and audience are not the only two actors in the formulations of authoritative doctrines. There is a third: the actions of the Holy Spirit leading the church into deeper appreciation of the truth that has been given to it in Christ. This does not exclude the possibility of false developments being proposed by theologians. This may well be the verdict of the reader regarding my proposals.

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<sup>53</sup> Geertjan Zuidwegt, 'Feeney, Fenton and the Making of *Lumen Gentium*', *Louvain Studies*, 37.2–3, 2013 shows the trajectory from the Feeney incident leading into the formulation of *Lumen Gentium*.

Let me now turn to the compatibility of Marshall's two theses that he proposed is potentially unresolvable.

## Part II: Resolving Marshall's conundrum through the fulfilment thesis

Marshall's claim of the apparently irreconcilable tension within two Catholic doctrines is this: 'One [1] is that the saving mission of Christ and his Church is willed by God to be universal, extending to every human being. The other [2] is that God's covenant with Israel, with the Jewish people according to the flesh, is irrevocable. Both claims seem to be essential to Catholic teaching and Catholic faith. But the consistency of the one with the other is less than obvious.'<sup>54</sup> In the light of the discussion above, I want to revisit Marshall's conundrum and outline some steps, that I can only briefly explicate, that will allow Catholics to reconcile Marshall's tensions, keep within the parameters of *Cantate* and subsequent teachings from the magisterium and the offices of the Holy See, and engage positively with Rabbinic Judaism without sending out mixed messages, which was Marshall's rightful concern.

The first step in this resolution is to correlate invincible ignorance, not as a comfortable way of easing the embarrassment of Catholic truth claims when in company with Jews, but in terms of explicating Paul's teaching of *pōrōsis* in Romans 11.25-6: 'So that you may not claim to be wiser than you are, brothers and sisters, I want you to understand this mystery: a hardening [*pōrōsis*; also translated 'blindness'] has come upon part of Israel, until the full number of the Gentiles has come in. And so all Israel will be saved; as it is written, "Out of Zion will come the Deliverer; he will banish ungodliness from Jacob."' <sup>55</sup> The interpretation of these two verses has been construed in radically different ways in the history of exegesis and is far from resolved amongst Catholic exegetes. <sup>56</sup> In the *aula* at Vatican II, the fathers had very different interpretations reflecting this unresolved exegesis. <sup>57</sup> However, we now have two authoritative texts to limit the parameters of possible interpretation of this text, *The Catholic Catechism*, 674; and the liturgy of the Church in the shape of *the Missale Romanum*. The first reads:

The glorious Messiah's coming is suspended at every moment of history until his recognition by 'all Israel', for 'a hardening has come upon part of Israel' in their 'unbelief' toward Jesus.<sup>569</sup> St. Peter says to the Jews of Jerusalem after Pentecost: 'Repent therefore, and turn again, that your sins may be blotted out, that times of refreshing may come from the presence of the Lord, and that he may send the Christ appointed for you, Jesus, whom heaven must receive until the time for establishing all that God spoke by the mouth of his holy prophets from of old.'<sup>570</sup> St. Paul echoes him: 'For if their rejection means the reconciliation of the world, what will their acceptance mean but life from the dead?'<sup>571</sup> The 'full inclusion' of the Jews in the Messiah's salvation, in the wake of 'the full number of the Gentiles',<sup>572</sup> will enable the People of God to achieve 'the measure of the stature of the fullness of Christ', in which 'God may be all in all'.

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<sup>54</sup> Bruce D. Marshall, 'Christ and Israel', 332. My added brackets.

<sup>55</sup> New RSV Catholic Edition

<sup>56</sup> See Joseph Sievers, 'A History of the Interpretation of Romans 11.29', *Annali Di Storia Dell'Esegesi*, 14.2 (1997), 381–442; Mark Reasoner, *Romans in Full Circle: A History of Interpretation*, 1st ed. (Louisville, Ky.: Westminster John Knox Press, 2005), 121–29.

<sup>57</sup> See an excellent English translation of the *aula* discussion at: <http://www.ccjr.us/dialogika-resources/documents-and-statements/roman-catholic/second-vatican-council/na-debate/1017-draft1964sept>

The Ordinary Form (2011) of the ICEL Third edition of the *Roman Missal* (1970), reads:

Let us pray also for the Jewish people, to whom the Lord our God spoke first, that he may grant them to advance in love of his name and in faithfulness to his covenant. (*Prayer in silence. Then the Priest says:*) Almighty ever-living God, who bestowed your promises on Abraham and his descendants, hear graciously the prayers of your Church, that the people you first made your own may attain the fullness of redemption. Through Christ our Lord. Amen.<sup>58</sup>

From these two texts, it is, for our present purpose, clear that 'Israel' is understood as Rabbinic Judaism; and that Rabbinic Jews will finally come to know Christ (the manner is unclear), although the number of such Jews is unspecified (some, all, a minority, a majority). Within these parameters, could *pōrōsis* be understood as a form of invincible ignorance? That is, Rabbinic Judaism as a group cannot be blamed, are not culpable, in remaining as Rabbinic Jews. This, without denying that some biblical Jews and even post-biblical Rabbinic Jews were culpable and knowingly rejected the truth, as *Nostra Aetate* stated.<sup>59</sup> Catholics cannot judge this issue of culpability in any specific case not related to biblical revelation. This is left to God and the person or group of persons. My argument here is different. It requires that Catholics, in their exegesis of *pōrōsis* to legitimately explore whether this reading of *pōrōsis* as invincible ignorance might help illuminate the meaning of scripture. This is not an argument for eisegesis, but for the common Catholic teaching that scripture is read by the rule of faith. Invincible ignorance and *pōrōsis* may have a strong correlation. It certainly fits with the argument of Paul. If they do, then fulfilment is even easier to defend and uphold along with the thesis (Marshall's [2]) that God's covenant with Rabbinic Judaism is irrevocable.

The second step to secure this argument would require a questioning of the presuppositions underlying Marshall's claim, not to negate it, but to clarify it. It is clear from St Paul that God has chosen this hardening, this 'partial blindness' so that the 'gentiles' might be included. In Marshall's terms, God wills [2] so that [1] may come about. In so doing, [2] entails that Rabbinic Judaism's covenant remains intact. However, Marshall's [2] suggests something stronger than permissive will. God positively wills, not just permissively wills, that carnal Israel remain practioners of Torah, faithful to His covenant, even after the coming of Christ. Marshall rejects the position I am advancing here because:

What starts out as a theological effort to honor the election of Israel and the divinely willed integrity of Judaism ends up (inadvertently, to be sure) as a curious inversion of the traditional idea that the Jews must wait until the eschaton for the gift of salvation God promised to their forefathers. For the tradition this exclusion of the Jews from the Church

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<sup>58</sup> This leaves ambiguous the process of how the 'fullness' is attained. These prayers have undergone a number of modifications related to this issue. See Hans Hermann Henrix, 'The Controversy Surrounding the 2008 Good Friday Prayer in Europe: The Discussion and Its Theological Implications', *Studies in Christian-Jewish Relations*, 3 (2008), 1–19.

<sup>59</sup> *Nostra Aetate*, 4: 'As Holy Scripture testifies, Jerusalem did not recognize the time of her visitation, nor did the Jews in large number, accept the Gospel; indeed not a few opposed its spreading. Nevertheless, God holds the Jews most dear for the sake of their Fathers; He does not repent of the gifts He makes or of the calls He issues—such is the witness of the Apostle. ... True, the Jewish authorities and those who followed their lead pressed for the death of Christ; still, what happened in His passion cannot be charged against all the Jews, without distinction, then alive, nor against the Jews of today.'

was a punishment, while in the current version it seems to become a kind of gift, given for their own good.<sup>60</sup>

Marshall's own tentative solution is to accept that Rabbinic Judaism's eschatological hope in the messiah unites them to Jesus Christ who is the messiah. In this way it relates Rabbinic Jews to the Church's salvific role. He cites the *Catechism*, 840, in support of this attempt to reconcile [1] and [2]:

[W]hen one considers the future, God's People of the Old Covenant and the new People of God tend towards similar goals: expectation of the coming (or the return) of the Messiah. But one awaits the return of the Messiah who died and rose from the dead and is recognized as Lord and Son of God; the other awaits the coming of a Messiah, whose features remain hidden till the end of time; and the latter waiting is accompanied by the drama of not knowing or of misunderstanding Christ Jesus.<sup>61</sup>

Marshall immediately admits that this solution generates considerable problems, not least compromising [1] by providing an exception that is the rule which thereby invokes something very close to the two covenant solution – which he explicitly disallows. His candidness is admirable. However, Marshall's solution also fails to explain why implicit faith is to be preferred over explicit faith, and that such a situation could be positively willed.<sup>62</sup> Could God positively will one people, his chosen, to know him only implicitly until the end days? More significantly, Marshall also fails to attend to the clear assumption of invincible ignorance in the last part of the sentence that he uses to provide his solution. 'Not knowing' and 'misunderstanding' are both characteristics of invincible ignorance, not a positively willed objective truth or state of affairs. The objective truth is that the messiah has come. The subjective truth of Rabbinic Judaism is that he has not. The *Catechism's* rendition requires the employment of invincible ignorance and thus necessarily undercuts the notion of positive willing. God's permits 'invincible ignorance' which is the condition of Rabbinic Judaism's legitimate path of following God faithfully. God's fidelity to His promises might be said to be an attribute of God, such as God's truthfulness, and is not part of the question of his positive or permitting willing. To be fair to Marshall, his solution is offered very tentatively and briefly, and he is very alert to the critical problems.

Can Marshall's irreconcilable tension between [1] and [2] be overcome? Yes, following my revision and clarification of his terms, but clearly in a way that is problematic for Marshall. If the fulfilment thesis is correct, as I have argued above, and the evidence of Hebrew Catholics re-emergence prompts a rethinking of ecclesiology such as Hebrew Catholic presence requires, then the gifts and the promises made to biblical Israel are not annulled and invalid, nor dead and deadly, but are positively willed for Israel 'of the flesh'. This then works out differently, as we have seen, in relation to Rabbinic Judaism, Hebrew Catholics and Messianic Jews. This solution keeps intact Marshall's formula of God positively willing [1] and [2], but [2] apparent contradiction is fully resolved through the existence of Hebrew Catholics; and becomes permissively willed when applied to Rabbinic Judaism. The fulfilment thesis resolves Marshall's tensions, but in somewhat different terms than his. In that sense, it does not solve Marshall's problem at all as it changes the terms of the two theses. It suggests that Marshall has incorrectly rendered [2] because as it stands, it contradicts *Cantate*. It requires the job that I have tried to carry out above to ensure that it does not contradict *Cantate* but continues its positive teachings.

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<sup>60</sup> Ibid, 342.

<sup>61</sup> Ibid, 343.

<sup>62</sup> Ibid, 346.



But what of Marshall's objection to my type of solution? Do I simply invert what was understood as 'punishment' into a 'kind of gift'? 'Kind of gift' signifies precisely why this solution actually has so many advantages, for the 'gift' is that of God's promises and gifts to fleshy Israel, that are irreversible and irrevocable, nothing less and nothing more. Punishment is not the foreground theme as had been in most of Christian history, but rather, Rabbinic Judaism's gift to the world and to gentile Christians. To explicate the nature of the gift is precisely what the magisterium is slowly attending to with the help of Catholic theologians, but that Rabbinic Judaism is 'gift' cannot be doubted. Rabbinic Judaism's existence is part of God's plan, even if at some stage, 'all [*pas*] Israel will be saved'. Then some or all of Rabbinic Judaism will come to recognise Jesus Christ as messiah. The presence of Hebrew Catholics also shows that the gift of the Torah and the ceremonial laws that come from it need not be consigned to oblivion, but can also have a place of honour within the Church, whose very root and existence lie in biblical Israel, the very life root of Rabbinic Judaism.

One further point: does this discussion about Marshall impact on Messianic Jews? Yes, although I have not foregrounded the matter in this section for it was not Marshall's concern. However, by distinguishing between different Israel's of the flesh, as I have done, it is possible to see that the Catholic Church is genuinely challenged for it is called to attend to Israel of the flesh as part of God's plan, as part of the Church's own mystery. It has done so, rather paradoxically, in *Cantate* and *Ex quo*. I say rather paradoxically, because these documents have often been read negatively, compared to positively as I have, in regard to Israel of the 'flesh'.

### **Tentative conclusions**

This is an area that requires tentative conclusions as the Catholic Church's teachings here are only about fifty years old and still evolving. I hope to have shown the most fruitful thesis, fulfilment, that best grasps the elements of doctrinal development regarding Israel of the flesh. I have also shown how in that evolution, new issues have arisen, because Israel 'of the flesh' opens doors on minority Jewish groups, within and outside the Church. They are part of the root as well as the stem and branches that Paul talks about. Their presence alas destabilises mainstream Rabbinic Judaism-Catholic dialogue.

The fulfilment thesis best explicates the minimal statements made by the contemporary magisterium. It best balances the previous teachings of the magisterium with the contemporary teachings, such as they are. The fulfilment thesis also manages to balance Marshall's two apparently irreconcilable teachings that have emerged from the magisterium. However, [2] must be understood permissively viz. Rabbinic Judaism, for the reconciliation of [1] and [2]. This is not acceptable to Marshall, but I suggest it is more appropriate in keeping alive the creative tensions within the teachings of the magisterium and grasping them without contradiction. The two covenant thesis has been seen to be incompatible with the magisterial tradition. The supersessionist thesis is difficult to reconcile with modern magisterial teachings which does seem to teach [2], even if minimally articulated. If supersessionism was correct it would involve the magisterium intentionally misleading the modern Jewish community by apparently uttering statements about them in their presence, when the statements are not intended about the modern Jewish community at all. While magisterial teachings until 1980 could possibly be read as supporting supersessionism, after 1980 supersessionism seems ruled out.

The further benefit of the fulfilment approach is that it opens up a very positive dialogue between the Catholic Church and Rabbinic Judaism and Messianic Jews, without ceasing to preach the truth

of [1]. It creates a space for Hebrew Catholics within the Catholic Church which is central to better understand the nature of the *ecclesia*.

Finally, it creatively allows for doctrinal development without contradiction of the previous magisterium but rather, as proper development requires, builds upon the earlier truths contained in the church's magisterial teachings.

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